

Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/796,584
				Filing Date	March 8, 2004
				First Named Inventor	Clark R. Baker, Jr.
				Art Unit	3737
				Examiner Name	Ramirez, John Fernando
Sheet	1	of	5	Attorney Docket Number	P0409R/TYHC:0149/FLE/POW

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
J.F.R./	A1	US- 3,638,640	02/01/1972	Shaw	
J.F.R./	A2	US- 4,854,699	08/08/1989	Edgar, Jr.	
J.F.R./	A3	US- 4,936,679	06/26/1990	Mersch	
J.F.R./	A4	US- 4,960,126	10/02/1990	Conlon	
J.F.R./	A5	US- 4,971,062	11/20/1990	Hasebe et al	
J.F.R./	A6	US- 4,974,591	12/04/1990	Awazu et al.	
J.F.R./	A7	US- 5,025,791	06/25/1991	Nagoya	
J.F.R./	A8	US- 5,028,787	07/02/1991	Rosenthal et al.	
J.F.R./	A9	US- 5,065,749	11/19/1991	Hasebe et al	
J.F.R./	A10	US- 5,084,327	01/28/1992	Stengel	
J.F.R./	A11	US- 5,275,159	01/04/1994	Griebel	
J.F.R./	A12	US- 5,285,783	02/15/1994	Stuttgart	
J.F.R./	A13	US- 5,413,100	05/09/1995	Barthelemy	
J.F.R./	A14	US- 5,483,646	01/09/1996	Uchikoga	
J.F.R./	A15	US- 5,730,124	03/24/1998	Yamauchi	
J.F.R./	A16	US- 5,779,631	07/14/1998	Chance	
J.F.R./	A17	US- 5,817,008	10/06/1998	Rafert	
J.F.R./	A18	US- 5,830,135	11/03/1998	Bosque	
J.F.R./	A19	US- 5,830,139	11/03/1998	Abreu	
J.F.R./	A20	US- 5,831,598	11/03/1998	Kauffert et al.	
J.F.R./	A21	US- 5,871,442	02/16/1999	Madarasz et al.	
J.F.R./	A22	US- 5,873,821	02/23/1999	Chance et al.	
J.F.R./	A23	US- 6,081,742	06/27/2000	Amano et al.	
J.F.R./	A24	US- 6,120,460	09/19/2000	Abreu	
J.F.R./	A25	US- 6,134,460	10/17/2000	Chance	
J.F.R./	A26	US- 6,151,516	11/21/2000	Azarbayjany	
J.F.R./	A27	US- 6,222,189	04/24/2001	Misner	
J.F.R./	A28	US- 6,285,895	09/04/2001	Ristolainen et al.	
J.F.R./	A29	US- 6,312,393	11/06/2001	Abreu	
J.F.R./	A30	US- 6,353,750	03/05/2002	Kimura et al.	
J.F.R./	A31	US- 6,415,236	07/02/2002	Kobayashi et al.	
J.F.R./	A32	US- 6,419,671	07/16/2002	Lemberg	
J.F.R./	A33	US- 6,449,501	09/10/2002	Reuss	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/796,584
				Filing Date	March 8, 2004
				First Named Inventor	Clark R. Baker, Jr.
				Art Unit	3737
				Examiner Name	Ramirez, John Fernando
Sheet	2	of	5	Attorney Docket Number	P0409R/TYHC:0149/FLE/POW

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/J.F.R./	A34	US- 6,461,305	10/08/2002	Schnall	
/J.F.R./	A35	US- 6,480,729	11/12/2002	Stone	
/J.F.R./	A36	US- 6,487,439	11/26/2002	Skladnev et al.	
/J.F.R./	A37	US- 6,544,193	04/08/2003	Abreu	
/J.F.R./	A38	US- 6,549,795	04/15/2003	Chance	
/J.F.R./	A39	US- 6,591,122	07/08/2003	Schmitt	
/J.F.R./	A40	US- 6,606,509	08/12/2003	Schmitt	
/J.F.R./	A41	US- 6,618,042	09/09/2003	Powell	
/J.F.R./	A42	US- 6,622,095	09/16/2003	Kobayashi et al.	
/J.F.R./	A43	US- 6,662,030	12/09/2003	Khalil et al.	
/J.F.R./	A44	US- 6,675,029	01/06/2004	Monfre et al.	
/J.F.R./	A45	US- 6,687,519	02/03/2004	Steuer et al.	
/J.F.R./	A45	US- 6,690,958	02/10/2004	Walker et al.	
/J.F.R./	A47	US- 6,714,245	03/30/2004	Ono	
/J.F.R./	A48	US- 6,731,274	05/04/2004	Powell	
/J.F.R./	A49	US- 6,754,515	06/22/2004	Pologe	
/J.F.R./	A50	US- 6,785,568	08/31/2004	Chance	
/J.F.R./	A51	US- 6,793,654	09/21/2004	Lemberg	
/J.F.R./	A52	US 6,819,950	11/16/2004	Mills	
/J.F.R./	A53	US 6,850,053	02/01/2005	Daalmans et al.	
/J.F.R./	A54	US 6,869,402	03/22/2005	Arnold	
/J.F.R./	A55	US 6,898,451	05/24/2005	Wuori	
/J.F.R./	A56	US 6,947,781	09/20/2005	Asada	
/J.F.R./	A57	US- 6,949,081	09/27/2005	Chance	
/J.F.R./	A58	US- 6,993,372	01/31/2006	Fine	
/J.F.R./	A59	US 6,996,427	02/07/2006	Al Ali	
/J.F.R./	A60	US 7,024,233	04/04/2006	Al Ali	
/J.F.R./	A61	US 7,035,697	04/25/2006	Brown	
/J.F.R./	A62	US 7,041,063	05/09/2006	Abreu	
/J.F.R./	A63	US 7,043,289	05/09/2006	Fine et al.	
/J.F.R./	A64	US 7,044,917	05/16/2006	Arnold	
/J.F.R./	A65	US 7,065,392	06/20/2006	Kato	
/J.F.R./	A66	US 7,095,491	08/22/2006	Forstner et al.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.F.R./

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	
				Filing Date	
				First Named Inventor	
				Art Unit	
				Examiner Name	
Sheet	3	of	5	Attorney Docket Number	
				P0409R/TYHC:0149/FILE/POW	

/J.F.R./	A67	US	7,206,621	04/17/2007	Aoyagi, et al.	
/J.F.R./	A68	US	7,236,811	06/26/2007	Schmitt	
/J.F.R./	A69	US	7,239,902	07/03/2007	Schmitt et al.	
/J.F.R./	A70	US	7,263,395	08/28/2007	Chan	
/J.F.R./	A71	US	7,272,426	09/18/2007	Schmid	
/J.F.R./	A72	US	7,366,569	04/29/2008	Belalcazar	
/J.F.R./	A73	US	7,469,157	12/23/2008	Diab	
/J.F.R./	A74	US-	7,469,158	12/23/2008	Lyer et al.	
/J.F.R./	A75	US-	7,534,212	05/19/2009	Baker, Jr.	
/J.F.R./	A76	US-	7,551,950	06/23/2009	Cheng	
/J.F.R./	A77	US-	7,621,877	11/24/2009	Schnall	
/J.F.R./	A78	US-	2002/0042558	04/11/2002	Mendelson	
/J.F.R./	A79	US-	2002/0156354	10/24/2002	Larson	
/J.F.R./	A80	US-	2002/0198443	12/26/2002	Ting	
/J.F.R./	A81	US-	2003/0023140	01/30/2003	Chance	
/J.F.R./	A82	US-	2004/0171920	09/02/2004	Mannheimer et al.	
/J.F.R./	A83	US-	2005/0113651	05/26/2005	Wood et al.	
/J.F.R./	A84	US-	2005/0113656	05/26/2005	Chance	
/J.F.R./	A85	US-	2005/0192488	09/01/2005	Bryenton et al.	
/J.F.R./	A86	US-	2005/0228248	10/13/2005	Dietiker	
/J.F.R./	A87	US-	2006/0020181	01/26/2006	Schmitt	
/J.F.R./	A88	US-	2006/0189872	08/24/2006	Arnold	
/J.F.R./	A89	US-	2006/0195025	08/31/2006	Al Ali	
/J.F.R./	A90	US-	2006/0247501	11/02/2006	Ali	
/J.F.R./	A91	US-	2008/0009689	01/10/2008	Benaron	
	A92	US-				
	A93					
	A94					
	A95					
	A96					

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	
				10/796,584	
				Filing Date	
				March 8, 2004	
				First Named Inventor	
		Clark R. Baker, Jr.			
Art Unit		3737			
Examiner Name		Ramirez, John Fernando			
Sheet	4	of	5	Attorney Docket Number	
				P0409R/TYHC:0149/FLE/POW	

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number + Kind Code ⁵ (if known)				
/J.F.R./	B1	DE	69123448	5/22/1997	Futrex Inc.		
/J.F.R./	B2	JP	24148070	5/27/2004	Tse:KK		
/J.F.R./	B3	JP	24166775	6/17/2004	Citizen Watch Co Ltd		
/J.F.R./	B4	JP	25046234	2/24/2005	Hitachi Ltd		
/J.F.R./	B5	JP	25095606	4/14/2005	Nippon Koden Corp		
/J.F.R./	B6	JP	25169020	6/30/2005	Tse:KK		
/J.F.R./	B7	JP	3944448	7/11/2007	Hamamatsu Photonics Kk		
/J.F.R./	B8	JP	4038280	1/23/2008	Hamamatsu Photonics Kk		
/J.F.R./	B9	WO	09200513	1/9/1992	Futrex Inc.		
/J.F.R./	B10	WO	03039326	5/15/2003	Mills, Alexander, K.		
/J.F.R./	B11	WO	2003063697	8/7/2003	BTG International Limited		
/J.F.R./	B12	WO	04006748	1/22/2004	Itamar Medical Ltd.		
	B13						
	B14						
	B15						
	B16						
	B17						

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/796,584
				Filing Date	March 8, 2004
				First Named Inventor	Clark R. Baker, Jr.
				Art Unit	3737
				Examiner Name	Ramirez, John Fernando
Sheet	5	of	5	Attorney Docket Number	P0409R/TYHC:0149/FLE/POW

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/J.F.R./	C1	Aoyagi, T., et al.; "Analysis of Motion Artifacts in Pulse Oximetry," Japanese Society ME, Vol. 42, p. 20 (1993) (Article in Japanese – contains English summary of article)	
/J.F.R./	C2	Goldman, Julian M.; "Masimo Signal Extraction Pulse Oximetry," Journal of Clinical Monitoring and Computing, Vol. 16, pp. 475-483 (2000)	
/J.F.R./	C3	Yamazaki, Nakaji, et al.; "Motion Artifact Resistant Pulse Oximeter (Durapulse PA 2100)," Journal of Oral Cavity Medicine, Vol. 69, No. 4, pp. 53 (date unknown) (Article in Japanese – contains English summary of article).	
	C4		
	C5		
	C6		
	C7		
	C8		
	C9		
	C10		
	C11		
	C12		
	C13		
	C14		
	C15		
	C16		
	C17		

Examiner Signature	/John Ramirez/ (04/26/2010)	Date Considered	
-----------------------	-----------------------------	--------------------	--